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Ref: EPR-N

Bradley S. Warren, Regional Manager
U.S. Department of Energy
Western Area Power Administration
Rocky Mountain Customer Service Region
P.O. Box 3700 Loveland, CO 80539-3003

RE: U.S. Environmental Protection Agency Comments on the Draft Environmental Impact Statement for the Estes-Flatiron Transmission Lines Rebuild Project **CEQ # 20140267**

Dear Mr. Warren:

This letter is in response to the Western Area Power Administration's (Western's) August 28, 2014 request for review and comment on the Draft Environmental Impact Statement (Draft EIS) for the Estes-Flatiron Transmission Lines Rebuild Project. Our comments are provided for your consideration pursuant to our responsibilities and authorities under Section 102(2)(c) of the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4332(2)(C), and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609. It is EPA's responsibility to provide an independent review and evaluation of the potential environmental impacts of this project, which includes a rating of the potential environmental impacts and the adequacy of the NEPA document.

Project Description

The Draft EIS analyzes the environmental consequences of four possible route alternatives with three routing variations to rebuild and upgrade the existing 115-kilovolt (kV) transmission lines, and a no action alternative, which would keep the existing lines in place and continue established maintenance activities. The proposed route alternatives would improve access to the transmission lines; widen the rights-of-way (ROWs) where existing ROWs are inadequate for public and line crew safety and reliable power delivery; and implement an integrated vegetation management approach within the ROWs to reduce the risk of trees and other vegetation damaging or interfering with the transmission line and power delivery to Estes Park, Loveland and nearby Front Range communities. Western is the lead federal agency for the Draft EIS. The United States Department of Agriculture, Forest Service (USFS) is a cooperating agency for the Draft EIS and has jurisdiction over National Forest System lands crossed by the transmission lines. USFS will make its own decision based on this Draft EIS.

The proposed project extends between Lake Estes on the east side of Estes Park and Western's Flatiron Substation near Flatiron Reservior. Western currently owns, operates, and maintains two 115-kV single-circuit transmission lines, dating from 1938 and 1953 that connect Estes Park to the Flatiron Substation in Larimer County, Colorado. The proposed project would remove both existing transmission lines and wood structures between the Flatiron Substation and the intersection of Mall Road and U.S. Highway 36 in Estes Park and either: (1) replace them with one new double-circuit 115-kV transmission line on steel monopoles within a single ROW, (2) same as alternative 1, but with the western portion buried in concrete cable trenches for about 2.6 miles, (3) rebuild both lines as single-circuit transmission lines on wood-pole H-frame structures on separate ROWs, or (4) the no action alternative, which would keep the existing lines in place and continue established maintenance activities.

The project area analyzed in the Draft EIS encompasses lands east of Estes Park and west of the Town of Loveland, and includes both private lands in Larimer County and public lands administered by the USFS, the Colorado State Land Board, Northern Colorado Water Conservancy District, and Larimer County. Major transportation corridors are U.S. Highways 34 and 36. The majority of the existing ROWs are located on privately-owned land, though portions are located on public lands administered by the USFS, State Land Board, Larimer County Natural Resources Department, and the Bureau of Reclamation. Both of the existing lines are located within a designated utility corridor as defined in the 1984 Forest Plan for Arapaho and Roosevelt National Forests and Pawnee National Grassland (ARP) and the 1997 Revision.

The EPA's Comments and Recommendations

General Considerations

The EPA supports Western's decision to prepare a Draft EIS for this proposed project. The decision to prepare an EIS rather than an Environmental Assessment was based on concerns about the significance of the environmental impacts raised during public meetings and comments in 2011 and through scoping in 2012. The EPA also supports Western's stated purpose and need as including the need to increase the resiliency of the transmission infrastructure which has not been updated since its original construction in the 1930s and 1950s.

Aquatic Resources

The Draft EIS does not disclose which waters in the project area have been impacted by the recent flood event of 2013 (e.g. Colorado Highway 34 and associated road/stream restoration repair work done). It is EPA's understanding that water resources, specifically water quality, aquatic life habitat, stream bank integrity and road systems have been dramatically affected by the events of the 2013 flood. The EPA recommends that Western contact the Colorado Department of Transportation, the Colorado Parks and Wildlife and the Colorado Department of Public Health and Environment, or the Governor's Disaster Recovery Office to identify current information related to water resources, and road systems affected by the recent flood and restoration work. The EPA recommends Western include this information in the Final EIS. We also recommend the Final EIS assess how current conditions influence the affected environment and the project's environmental impacts.

releasing greenhouse gasses, due to the potency of SF_6, the EPA recommends that the Final EIS identify what steps Western has taken and will take to either substitute SF_6 emitting equipment or mitigate the greenhouse gas emissions from leaking electrical transmission equipment. Much has been done in this area and EPA recommends Western include its contributions and reporting history with the SF_6 Partnership initiative and The EPA Green House Gas Emissions Inventory in the Final EIS (see: http://www.epa.gov/electricpower-sf6/documents/SF6_Annual_Report_2013.pdf).

The EPA's Rating

Based on the EPA's procedures for evaluating potential environmental impacts on proposed actions and the adequacy of the information present, the EPA is rating the Draft EIS Alternatives A through D, including all Alternative Variants and excluding the No Action Alternative, EC-2 (Environmental Concerns - Insufficient Information). The "EC" rating means that the EPA's review has identified potential impacts that should be avoided in order to fully protect the environment. The "2" rating means that the Draft EIS does not contain sufficient information for EPA to fully assess environmental impacts. A description of the EPA's rating system can be found at http://www.epa.gov/compliance/nepa/comments/ratings.html.

Thank you for the opportunity to comment on the Draft EIS. If you have any questions or would like to discuss our comments or rating, please contact me at 303-312-6704, or Nat Miullo at 303-312-6233.

Sincerely,

Philip S. Strobel
Acting Director, NEPA Compliance and Review Program
Office of Ecosystem Protection and Remediation

cc: Kevin Atchley, District Ranger, U.S. Forest Service

Wetland impacts are common with transmission line projects and can be significant due to the geographic scope of these linear projects. Clearing vegetation in and around wetlands can alter the functional type of the wetlands and can affect wetland hydrology. Additionally, some transmission projects have included direct fill of wetlands for service roads and tower bases.

EPA appreciates the use of the Southwest Regional Gap Analysis Project (SWReGAP) data in the Draft EIS to present approximate identifications of wetlands in the project vicinity and that were not part of the 2011 110 foot ROW inventory along the existing transmission lines and access roads.

The Draft EIS indicates that site specific wetland inventories in proposed new ROW acquisitions, re-routes and/or alternative variants will not be completed until after a Record of Decision (ROD) is selected. The EPA notes that for (non-federal land) areas, like the re-route along the Newell Lake View subdivision, wetland surveys and delineations have not been completed. Finally, the Draft EIS states wetland and waters of the U.S. field surveys have not been completed along the proposed alternative variants A2 and C1 routes, and that if wetlands are located along these routes that impacts could be significant, resulting in the removal of the wetlands and associated vegetation. Without a wetland inventory for ROWs for the Newell Lake View subdivision, and for the A2 and C1 variants, it is not possible to determine which alternative will have the least impact to wetlands. Therefore, based on the lack of information in the Draft EIS on wetlands surveys and potential impacts in some alternatives, it is not possible to determine a complete magnitude of impact for the alternatives. It is also not possible to determine whether specific measures to mitigate impacts to wetlands or other surface waters in new ROW alternatives, re-routes and variants are adequate. The EPA recommends that the Final EIS identify specific wetland and other surface water resources in all alternatives to enable a comparison of potential impacts and informed decisions on how those impacts can be mitigated.

The Draft EIS states that the preferred alternative, once selected, will avoid impacts to wetlands from roads, structures and re-routing as necessary after delineation results are compiled. Please clarify in the Final EIS what is meant by the phrase "as necessary." We recommend that the Final EIS clarify that in addition to the protections required by the Clean Water Act, Executive Order 11990 directs federal agencies to avoid impacts to all wetlands regardless of jurisdiction, and commit to providing protection of all wetlands and mitigation for all impacts. See: http://water.epa.gov/lawsregs/guidance/wetlands/eo11990.cfm.

Greenhouse Gases

Sulfur hexafluoride (SF_6) has often been used in electrical transmission equipment, including transformers and circuit breakers. The global warming potential of SF_6 is 23,900 times that of CO_2 when compared over a 100-year period, making it the most potent greenhouse gas that the Intergovernmental Panel on Climate Change has evaluated (source: http://epa.gov/climatechange/ghgemissions/gases/fgases.html). According to EPA research on power systems using SF_6 systems, 15% of those systems experience leaks and of that 15%, 10% can be repaired. While this is a small subset of an entire system's equipment that may be